



**WRITTEN TESTIMONY ON
AN ACT ESTABLISHING AN INSURANCE AND
VEHICLE REGISTRATION VERIFICATION SYSTEM
Raised Bill No. 5391**

Good afternoon Senator Hartley, Representative Dargan and distinguished members of the Public Safety and Security Committee. My name is David McGuire. I am a staff attorney at the American Civil Liberties Union of Connecticut and I urge you to amend Raised Bill No. 5391, An Act Establishing an Insurance and Vehicle Registration Verification System to address the privacy concerns associated with Automated License Plate Recognition systems (ALPRs).

ALPR is a type of electronic surveillance technology used by police to record individuals' license plate numbers and track their movements on the road. Cameras, usually mounted on police cars, record the plate number, the GPS location where the plate was scanned and the time and date of the capture. The system is intended to identify unregistered and stolen vehicles.

This bill would add uninsured vehicles as targets, and one objection concerns the practical difficulty of supplying a comprehensive, completely accurate and constantly updated list of insured vehicles to compare scanned plates against. Inaccurate data is already a concern. The Department of Homeland Security's and FBI's watch lists, which are notoriously inaccurate, are added to each ALPR's hotlist every day, leading to potential errors and civil liberties abuses.

Another objection, and this is my main point today, is that it's not appropriate to expand the use of license plate scanners in any way until fundamental issues of privacy and civil liberties are addressed. Archived data from license plate scans create detailed, pictures of the travel habits of innocent Connecticut citizens until the state provides clear guidance and regulation of this powerful technology.

Our office recently obtained under a Freedom of Information request a database containing 3.1 million scans accumulated by 10 Connecticut police departments. Another 15 towns in southwestern Connecticut are setting up a similar network. The state has no requirement that the data be discarded, so these ever-growing databases will easily be able to reconstruct an individual's movements or identify the vehicles that visit a particular church, mosque, adult bookstore or motel. This opens the door to retroactive surveillance of innocent people without a warrant, probable cause or any form of judicial oversight.

Recent press coverage has started to give the public a fuller understanding of how ALPR technology will affect them, and Connecticut's three largest newspapers have already called for limiting the amount of time that the data can be retained. They raise legitimate concerns that these large scan databases are also accessible to the general public, marketers and people who may use the data to locate people and commit crimes against them. Our office obtained the 3.1-million scan database to

evaluate the scope of the problem, but others may have more sinister purposes. Anyone can access this detailed information.

So while police can use ALPRs for legitimate law-enforcement purposes, the technology is susceptible to serious misuse. And even when ALPRs are used for legitimate purposes, there is no reason police departments need to store the license plate data indefinitely.

Specific time limits should be placed on how long police departments can keep the data on file before discarding it. This will allow police to use the information for legitimate crime-fighting purposes while preventing abuse. Maine and New Hampshire have laws restricting or limiting the use of ALPRs. Under Maine law police can only keep data for 21 days. New Hampshire prohibits the use of automated number plate scanning devices altogether.

ALPRs are a prime example of how technology is getting ahead of our law. Please take this opportunity to amend this legislation to require that ALPR scan data to be discarded after two weeks, except when it's directly related to a criminal investigation.